

**ADOPTED POLICY FOR VIOLATIONS OF EXISTING BY-LAWS, COVENANTS, AND DESIGN STANDARDS OF  
THE FALLS OF CHEROKEE/RIDGEVIEW HOMEOWNERS ASSOCIATION**

**SECTION 1**

**FAILURE TO SECURE ACC APPROVAL BEFORE PROJECT IMPLEMENTATION**

- For any project that necessitates Architectural Control Committee approval, as stipulated in The Falls of Cherokee/Ridgeview Covenants, or Design Standards, the Board of Directors may impose a fine if approval for such project is not granted by the ACC prior to property owner implementation. The amount of the fine shall be determined by the Board after considering the facts and circumstances surrounding the failure to obtain ACC approval.

**SECTION 2**

**VIOLATIONS OF THE FALL OF CHEROKEE/RIDGEVIEW COVENANTS OR DESIGN STANDARDS OTHER THAN TREES**

**Obvious Covenant or Design Standard violations with emphasis on boats, trailer, recreational vehicle or abandoned vehicles, parked in sight lines.**

- First notification: Property owner given 10 days written notice to correct the violation.
- Second notification: Property owner given additional 10 days written notice to correct the violation and advised of potential fine amount that may be imposed if issue is not corrected. The fine can be a flat fine plus a per day fine imposed until the violation is corrected.
- Third notification: Property owner shall be assessed a fine in an amount determined by the Board after considering the facts and circumstances. The Board shall notify the property owner in writing of the amount of the fine, the date the fine was imposed, that the owner may request a hearing before the Board to challenge the fine and that the owner has 10 days to request in writing the hearing.
- If the violation has not been resolved within 30 days, the Board shall file a lien to secure the amounts due and shall have the right to file a lawsuit to force the owner to correct the violation.
- If the violation involves a substantive change to the property (i.e., work by the owner is ongoing), the Board should contact legal counsel to discuss the need to obtain an emergency restraining order to help address the violation.

**SECTION 3**

**VIOLATIONS OF THE FALLS OF CHEROKEE/RIDGEVIEW COVENANTS OR DESIGN STANDARD RELATION TO TREES**

- Any tree, 6 inches in diameter or larger (measured from a point 2 feet above ground level), can only be removed from a property in accordance with published Covenants or Design Standards that include filing of such intended removal with, and receiving approval from, the Architectural Control Committee (ACC).
- Any healthy tree(s) 6 inches in diameter, or larger removed, without ACC approval may result in the property owner being assessed a fine in an amount determined by the Board after considering the facts and circumstances. The Board shall notify the property owner in writing of the amount of the fine, the date the fine was imposed, that the owner may request a hearing before the Board to challenge the fine and that the owner has 10 days to request in writing the hearing.
- If the violation has not been resolved within 30 days, the Board shall file a lien to secure the amounts due and shall have the right to file a lawsuit to force the owner to correct the violation.
- If the violation does not stop after written notice from the Board, the Board should contact legal counsel to discuss the need to obtain an emergency restraining order to help address the violation.
- All tree considered or thought to be "dead" (which are allowed to be cut and removed) may need to have verification by an independent arborist or inspected by the ACC in advance of removal. Any arborist verification to be done at property owner expense.

NOTE: Fines may be doubled for repeat offenders.